

# **Missouri Resource Manual for the Development and Implementation of Drug Courts**

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## **PREFACE**

### **Purpose and goal of the resource guide**

The development of this resource guide has been a challenging process. Missouri is currently undergoing many changes regarding substance abuse and how to react to the increasing statewide problem of drug use. The development of drug courts has been one of the responses that the state and local communities have made to address substance abuse problems.

The resource manual has taken twelve months to develop. During that time, the Missouri Association of Drug Court Professionals was created; the Supreme Court appointed a 48 member Missouri Judicial Conference Task Force on Drug Courts; legislation enabling drug courts was drafted and introduced in the House and Senate; five (5) new drug courts began operations; and nine (9) jurisdictions began the planning process for drug courts.

This resource guide is intended to assist jurisdictions in learning about drug courts and providing direction to begin planning efforts. Community contacts and resources are provided (Section VII) to assist jurisdictions in locating the necessary resources to meet their needs. This guide will not provide in-depth information about drug courts, but will hopefully provide information to aid in the beginning steps and where to locate further information on specific issues relating to drug courts.

It is important to understand that drug courts may not be right for every community. In that case, this resource guide may be able to assist those jurisdictions in developing a program that will work in their particular community. It is a guide to help answer some of the questions about collaboration and community coordination.

I would like to thank the Drug Court Planning Team with its assistance and support in the development of this resource guide. I would also like to thank all of the operating drug courts for the information they provided to me.

Finally, this resource guide is intended to be the first draft of information and the Office of State Courts Administrator will provide updates in the future. Hopefully, jurisdictions will also add information they receive from other sources to this notebook.

## OVERVIEW OF DRUG COURTS

### What is a drug court?

Drug Courts are treatment-based alternatives to prison, youth services facilities and detention centers, jails, standard probation models and re-entry methods for those leaving prison under probation supervision. The criminal justice system works cooperatively with treatment and other service systems to provide an offender with all of the possible tools they need to get into recovery, stay in recovery and lead a productive, crime-free life. Drug court is a concept that can be used in a variety of case types and molded to fit the needs and acceptability of each community.

The realm of drug courts has begun to take hold in all types of courts. The first drug courts were aimed at the adult population in a response to increasing crime rates and prison overcrowding. Because the adult drug courts proved to be successful in intervention and change in the lives of the adult offenders, juvenile courts decided the drug court programs could work for juvenile offenders as well. In the last few years, juvenile drug courts have gained popularity and have expanded to family drug courts, that deal primarily with abuse and neglect cases, and domestic violence drug courts.

The most important aspect to drug courts is the changing focus of crime. Instead of looking at only punishing the offender, the system has taken actions to help people change their lives in order to stop criminal or abusive activity.

In January 1997, the Drug Courts Program Office, with the help of drug court practitioners, developed ten (10) key components of drug court operations. The monograph, Defining Drug Courts: The Key Components, is in the appendix of this resource manual. In brief, the key components of any drug court model include:

- **Treatment services** – The unique aspect of drug courts is the relationship the criminal justice system has with the treatment system. Many agencies refer persons to treatment programs, as needed, however, the treatment provider in drug court programs is a part of the drug court team; just as the judge or prosecutor are part of the team.
- **Non-adversarial Approach** – Drug court programs are based upon the needs of the participant as opposed to the criminal or civil case that brought them to court. Since no criminal or civil case is being decided, there is no need for “sides” to be heard. The only matter in a drug court is the complete treatment of the drug court participant.
- **Immediate intervention** - Studies have shown that the quicker a person is placed in treatment following a crisis, the more successful the outcome. In drug courts, a person moves from an arrest or other court action to drug court and treatment in less than two weeks. More common adjudication processes may take months. Most of the operational drug courts are voluntary programs. Some jurisdictions

around the country, however, have created drug courts with multiple program levels or tracks. One level is for those who meet certain minimal criteria and volunteer for the program. Another level may be for the more serious offenders who volunteer for drug court. Finally, a level, with stricter controls, is provided for those who will not voluntarily opt into the drug court program.

- **Continuum of Services** – Not only is substance abuse treatment necessary, but a host of other services that can affect the changing behavior of the drug court participants. All community agencies and organizations need to be identified in order to provide the best possible holistic treatment to the person and their family.
- **Frequent drug testing** – It is critical that drug and alcohol testing be conducted frequently in order to monitor substance use by the participant. Some drugs do not stay in the system very long (less than 48 hours) so frequent testing is the only way to be absolutely sure that the participant is not using. If persons with alcohol addiction are accepted into the program it's also important to test BAC levels on a more frequent basis.
- **Graduated sanctions and rewards** - Offender accountability is an important piece to recovery and continued success. The graduated sanctions and rewards are key to developing a characteristic within the offender which is central to their recovery. It is important to note that offender accountability is only possible if the "system" is also accountable.
- **Program phases for short-term goals** - Drug court programs are divided into phases in order to provide short-term goals for the offender to meet. Drug addicts and abusers have a difficult time staying focused and also become easily overwhelmed with the idea of trying to stop using forever. That is why shorter term goals are developed for individuals to have a better chance of being successful which will then allow them to continue to the next step or phase. As the offender meets certain criteria successfully, they are rewarded by not having to continue in such an intense program. Sometimes, however, offenders proceed to another phase only to relapse and then are placed back into the previous phase.
- **On-going judicial interaction** – A critical element for participant accountability is frequent judicial involvement. Each participant needs to go before the judge to be held accountable for his or her failures and progress. According to national studies and graduation exit surveys, the single most common response why participants succeeded in the program was said to be the involvement of the judge.
- **Graduation from program** - It may seem a bit odd to most criminal justice agencies to have a graduation ceremony just because someone finished a court ordered program. Keep in mind that this is more than the typical court ordered program. The graduation portion of drug court is the final phase of the program, designating the end of the court ordered participation and the beginning of the continued success of the offender. Graduation ceremonies have become a celebration of all involved with the drug court. In Missouri, there have been graduations where the Governor hands out the diploma, where law enforcement

graduates return to show their support to fellow graduates, and where applause is guaranteed. Graduation is the final reward for the offender and the system.

- **Program monitoring and evaluation** – Even with extensive planning of the drug court program most programs make changes within the first 3-6 months. It is very important that the teams meet to discuss the process of the program to assure that all elements are working their best. Some Missouri programs have needed to make adjustments because they either weren't serving the diverse group of offenders or certain groups of offenders weren't being served as successfully as other groups.
- **Continuing education of team** – since the criminal justice system and treatment are linking together, all professions need to understand the full scope of each profession. It is necessary for the judge, prosecutor, public defender, probation and parole, law enforcement, and juvenile staff to understand all aspects of addiction. On the same hand, it is just as important for all treatment and other service providers to understand the criminal justice process. The more we understand about the entire process the better success the programs will see with the participants.
- **Inter-agency collaboration and coordination** - One of the key elements associated with the success of drug courts, is the collaboration and coordination between agencies, organizations, and private companies. Communities have discovered that many services are available in their areas and offender populations and their families are using the greatest amount of these services. If the service providers and agencies work together, services can be streamlined and more persons can benefit from what is already in the community. Some jurisdictions have also found that some community services providers were unaware of the needs of various agencies. Once this information was shared, the provider was able to make the needed services available in the community.

## **Types Of Drug Courts**

### Adult drug courts

Currently, the most common drug courts in operation around the country and in Missouri are adult felony drug courts. Drug courts were initially developed in response to prison overcrowding and increased arrests of adult offenders. In order to respond to the overwhelming numbers of felony offenders, drug courts began operating.

It has already been stated that drug courts are a concept and each jurisdiction develops a program that fits its needs. A common thread of adult drug courts is the treatment team. The minimum team, which plans for and continuously works in the drug court includes the judge, prosecutor, public defender, probation and parole officer, and treatment provider. The

individuality of these programs extends even into the point at which an offender enters into the program. Most drug courts in Missouri began as pre-plea courts, but others began as

post-plea. Currently, many of the drug courts use a combination of pre and post plea methods to enter the drug court program. More recently, drug courts have begun to accept persons released from the 120-day treatment centers with the Department of Corrections and place them in re-entry drug courts. A major element to be decided upon when determining which type of diversion should be used is how favorably the offender and attorney look at the program as a better “deal” than other options.

The pre-plea diversion program means that the charges are deferred while the person is actively participating in the drug court program. They have not pled guilty to any charges at this point. Some jurisdictions stipulate that the offender waives their right to a jury trial, fast and speedy trial, or that the evidence (such as drugs) can be stipulated to and not required to be presented at the trial.

Most of the time, the pre-plea drug courts are for the non-violent, first time, low risk offenders. In some jurisdictions, however, this entry level works for offenders with previous criminal histories or for those being charged with more serious violations. Many other jurisdictions do not believe the pre-plea drug courts for more serious offenders are in the best interest of community safety. Therefore, a post-plea drug court is sometimes utilized.

The post-plea drug courts are less common around the state, but are being used more for the serious offenders where the prosecutor wants to make sure they will have a guilty plea in the case so they don’t have to go to trial. Since the chances of the success of this more serious offender may be less, the time involved in trial preparation is saved if failure does occur.

Re-entry drug courts are the newest track in the adult drug court model. Some individuals are ineligible for a diversion drug court or are unable to successfully complete this type of drug court and are sent to the 120-day institutional treatment center (Section 559.115 RSMo) or a long-term drug treatment program (Section 217.362 RSMo). The re-entry model allows the court to release the individual on probation supervision into a drug court program instead of straight probation. The drug court program will be slightly different at the re-entry than the pre-prison models because of several things. First, a person who has participated in the 120-day program or the long-term program has reached a point where they aren't using drugs. They are in a perfect place to either continue treatment or enter an aftercare program. It's important to remember that while they have not been using drugs during their incarceration, they have also been protected from the community where they will now be living. Relapse is not uncommon for offenders returning to their neighborhoods because they are also returning to their old friends, who probably use drugs, too. The drug court model, with the frequent testing and accountability, may be the piece that will work for the returning offenders. The drug court will also be a catalyst for finding jobs, housing, reunification of families and a structured support system for greater success of this individual.



More and more courts around the state are developing multiple tracks within the drug court. Tracks generally include a pre-plea track for the first time offender, post-plea track for the more serious offender and a re-entry track for the most serious offender.

Currently, Missouri has sixteen (16) operational adult drug courts and several are in the planning stages. Jackson County created the first drug court in Missouri, beginning in October 1993. They have become a national model for other drug court professionals and has served as a “mentor site” for jurisdictions wanting to begin a drug court. The success rate of this drug court has been very good. Recidivism (new felony or misdemeanor arrest) of program graduates has remained around 4%.

Lafayette County held its first drug court session on May 20, 1996. They currently have 40 offenders in this program which accepts felony and misdemeanor cases. Expansion of the program is also being considered by adding a first time DWI program. This model may be able to help communities that are rural and don’t have outside funding available. Lafayette County did not receive any federal funding but the probation and parole services contract was modified to allow treatment for drug court participants.

The City of St. Louis began its drug court in April 1997. Planning occurred for two years prior to implementation, however, hiring a drug court administrator gave the jurisdiction its final boost to begin operating. They handle felony offenders and provide services from assessment through aftercare. They anticipate reaching a total drug court population of 400.

Buchanan County began operation October 20, 1997 as a post plea drug court with dismissal of charges (as in an SIS or SES) upon the successful completion of the program. The program accepts felony DWI offenders into the drug court and requires all drug court participants to submit to regular BAC testing. They also began accepting persons into drug court through the re-entry process in May, 1999. Buchanan County has received a planning grant to develop a juvenile drug court.

Boone County accepted its first drug court participant on January 20, 1998. They began as a pre-plea diversion program but now accept persons on probation supervision (pre-prison) and planned for and implemented a re-entry drug court in September 1999.

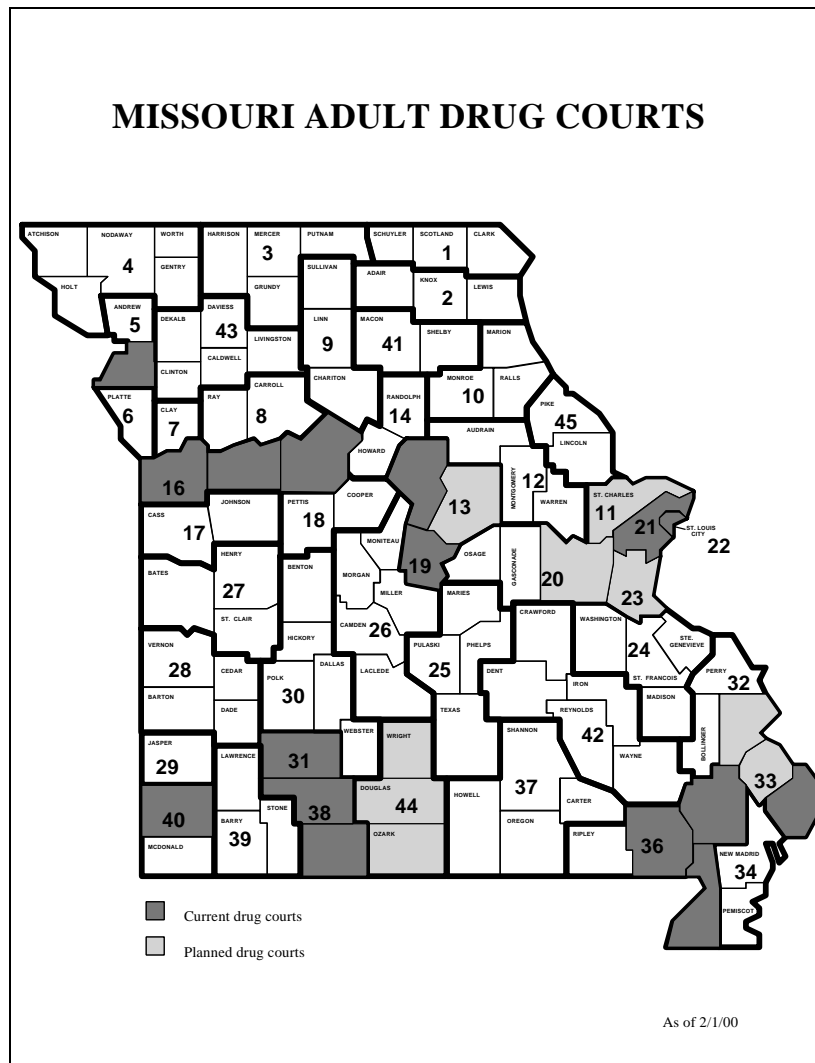
Christian County began operation on February 3, 1998 of a pre-plea felony adult drug court. The program in Christian County was so successful, that a drug court was begun in Taney County, which is part of the same Judicial Circuit.

Dunklin County began operating an adult felony drug court in September 1998. They were the first adult drug court in Southeast Missouri. Other counties in the area were not far behind. Butler County began in April 1999, Mississippi County began in July 1999, and Stoddard County began in August 1999.

Greene County originally developed a post-plea drug court in October 1998. They have since added pre-plea and re-entry tracks. Greene County also put together a citizen advisory board that assists with public education, funding, and general oversight of the drug court program. This board has been helpful in maintaining the drug court program and has assisted with issues that have arisen in the community.

Newton County received a drug court planning grant in 1998 and became operational in March 1999. Within two (2) weeks after beginning the program, the judge realized they needed a family drug court since the first participants had children and also had spouses that used drugs. It was just a few short months before the county had developed and implemented a family drug court (abuse and neglect cases) and a juvenile drug court. All three programs are operating successfully.

St. Louis County began operating a post-plea drug court in April 1999.



Other types of drug courts are beginning to make their way around the country and in many ways have a greater overall impact on the criminal justice system than the pure adult models. As previously mentioned, Lafayette County takes misdemeanors into their drug court and discussed expanding the program to first offense DWIs. They already take second and subsequent DWI offenders into the program.

Misdemeanor drug courts may be an easy sell to the prosecutor and community since they are low risk offenders, but the difficulty lies with finding a way to get offenders to volunteer for the program. Since the majority of treatment drug courts are voluntary programs, there needs to be a good reason why someone would agree to participate in this program instead of regular probation. In felony drug courts, the dismissal of charges or not being sent to prison are key reasons why someone would volunteer for the program. In misdemeanor cases, prison is not an option and often, minimum sentences are common in these cases. The key element to look at for misdemeanors is practices in sentencing in the general area around your community.

DWI cases have many similarities to the misdemeanor case issues, but on the treatment side it has been found to be more difficult to treat alcohol only offenders than drug offenders. Obviously, a primary reason for this is the availability and social acceptability of alcohol. It is also more difficult to test for use because of the short time alcohol remains in the system.

Adult drug courts are good alternative options for offenders. The successful program helps to positively alter the lives of families and hopefully reduce the criminal activity of that person. Missouri drug court program guides, forms and information are included in Section VII.

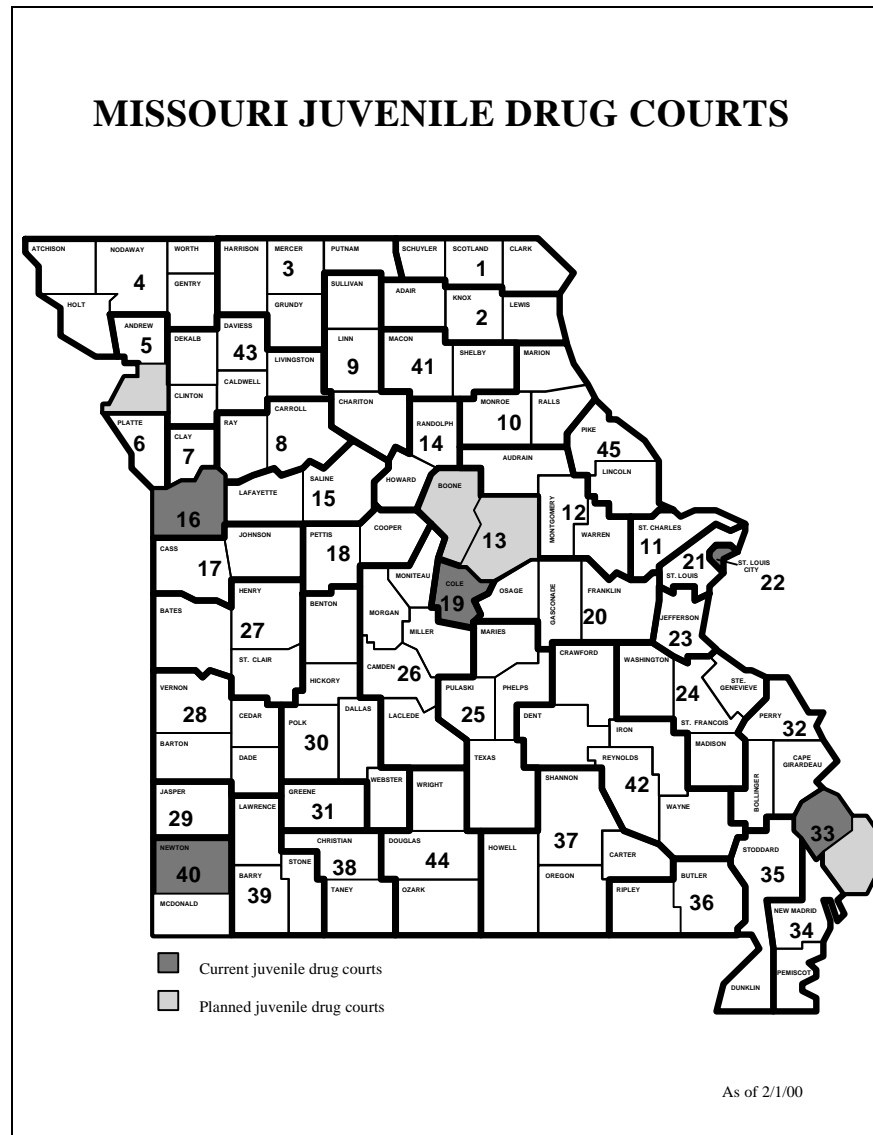
### Juvenile drug courts

Juvenile drug courts make a lot of sense, especially when it's found that many addicts began their drug use at early ages. Juvenile crime has been an issue in Missouri over the last several years. Most of the legislation has been aimed at tougher penalties for juvenile offenders. Juvenile drug courts take a look at more than what the child does or the teen is doing and looks at why they are doing it. If it has any connection to substance abuse, drug court could be the method to reach the offender.

The drug court treatment team is different in the juvenile system than the adult system. The juvenile treatment team consists of the judge, juvenile officer, defense attorney, school personnel, and treatment provider. Some of the juvenile courts also include a school resource officer on the treatment team.

There are currently five (5) juvenile drug courts operating in Missouri.

The Scott County Juvenile Drug Court was the first juvenile drug court in Missouri and became operational in May 1997. The primary reason for implementing the drug court was to bring substance abuse treatment into this rural area.



The City of St. Louis juvenile drug court became operational in September 1998. They instituted a pre and post adjudication program. While the court does not have jurisdiction over the family in pre-adjudication programs, it does allow the youth to successfully complete the drug court program without obtaining a juvenile record.

The other three (3) juvenile drug courts are in Jackson County, beginning in March 1999; Newton County, beginning in June 1999; and Cole County beginning in January 2000.

Acceptance into the juvenile drug court program may be based on a "first-time" use of drugs. The juvenile program will be more than drug education, however. To be effective, the system must be able to stop continued drug use in order to make a difference in their adult lives. It is also critical to be prepared to treat the entire family. Many times the youth in the juvenile court are imitating what they see at home or do not have strong family systems. If a child lives in a home where the parents are using drugs, they can not be expected to be successful in recovery if they cannot return to a safe and drug-free environment.

### Family drug courts

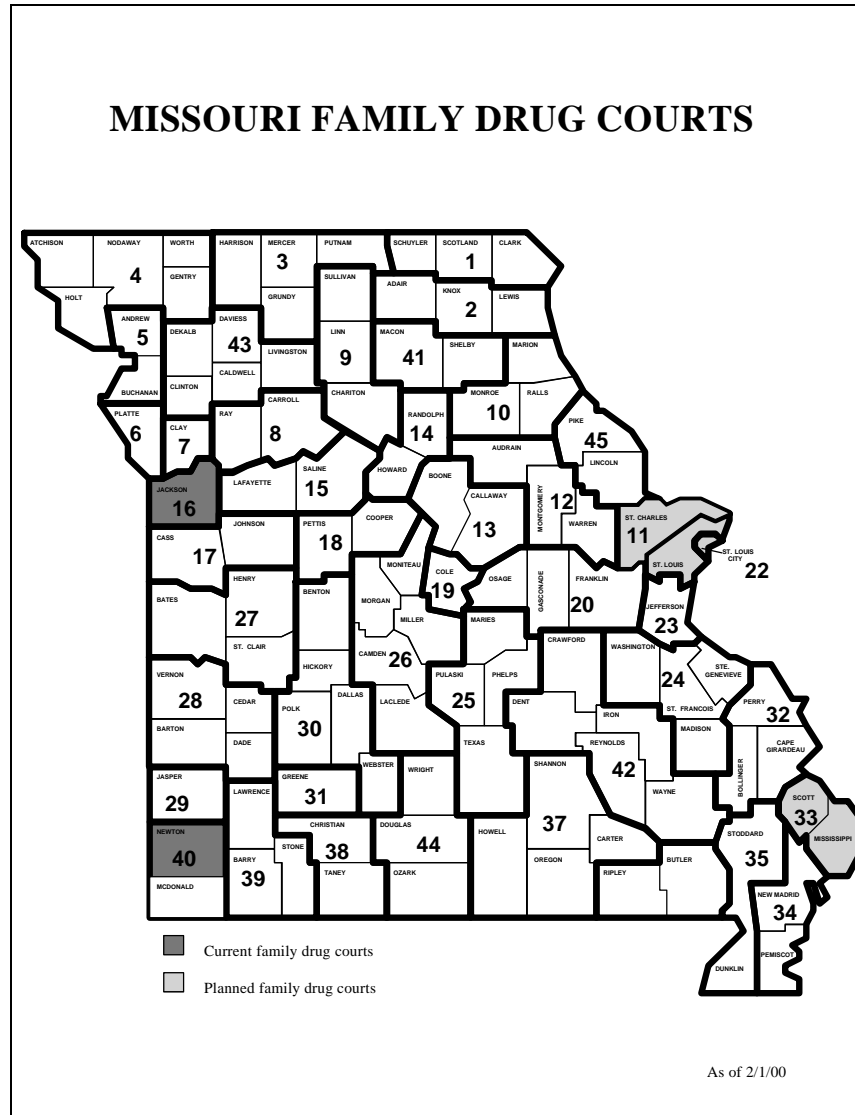
Family drug courts are a little different from the adult and juvenile drug courts. They operate from the perspective of abuse and neglect cases that stem from substance abuse. When an abuse and neglect case is referred to the family court, a screening needs to be conducted on the parent to determine the underlying cause of the situation. If substance abuse is determined to be the foundation for the abuse and/or neglect of the children, the case may be referred to drug court.

The team in a family drug court is expanded considerably to provide services to the entire family. If criminal charges are filed in the case, the team would consist of the combination of the adult and juvenile drug court teams and also include a social worker from the Division of Family Services. If family drug courts do not use the criminal process, the prosecutor does not need to be involved.

The family drug court provides treatment, substance abuse education services, and counseling to the entire family. While the parents or caregivers may be the ones primarily identified as having a substance abuse problem, the children in the abuse and/or neglect environment should not be overlooked as possibly needing substance abuse treatment or intervention of some type. At the very least, the children should be provided substance abuse education for prevention purposes.

The real challenges a family drug court faces are the large amounts of services that may be needed. Once a person comes before the court system with the possibility of losing their child(ren), not only are their addictions severe but other aspects of their lives are very disrupted. Homelessness is common as are serious health problems, lack of parenting skills, mental health issues and criminal activity. Typically, there is more than one child involved in these cases. It is not unusual for the parents to have lost custody of other children in the past.

The positive effects of family drug courts are limitless. The most evident outcomes from this program include family preservation in a drug free environment and prevention of future abuse and/or neglect situations. Recent studies have shown that children who are abused or neglected are more likely to appear before the court in delinquency matters. Allowing for prevention and intervention in the family court, the children will be less likely to come before the court as delinquents. Even if the outcome is termination of parental rights, the drug court assists the judge in determining if reasonable efforts have been made in the case.



The Jackson County Family Court developed the first family drug court in Missouri and became operation in April 1998. The unique part about the Jackson County Family Drug Court is that the companion criminal case against the offending party is filed with the family court. The prosecutor withholds prosecution of the charges as long as the family is involved

in the family drug court. The family drug court has discovered that it may take longer for the participants to work through the program. Again, the primary cause for this is the multiple issues that the participants bring with them to be resolved.

Newton County is another site for an operational family drug court and began in June 1999. Other jurisdictions that are currently planning a family drug court include St. Louis County, St. Louis City, and the 33<sup>rd</sup> Circuit (Scott and Mississippi Counties). Many other jurisdictions intend to plan and implement family drug courts over the next few years.

Materials are available from the currently operating programs and through the Office of State Courts Administrator.

### Domestic violence drug courts

There are very few domestic violence drug courts around the country. This is probably one of the most volatile types of courts that could be started, but it is greatly needed. One of the keys to this type of special court is a combination of criminal and civil action filed in the domestic violence incident. There is also a necessity that the criminal charges be prosecuted without the testimony of the victim. Unfortunately, many state laws do not allow this to occur.

Domestic violence courts place emphasis on strengthening police arrest procedures, offering support services for victims, including children, creating batter's intervention programs including programs dealing with substance abuse and defining the roles of the State Attorney, Public Defender, the Clerk's Office, the Department of Corrections, and the police.

### **Benefits of drug courts**

There may be high costs associated with drug courts at the front end of the program, but the benefits later include reductions in: criminal activity, health costs, unemployment, welfare payments, and AFDC benefits. People who have never been employed become tax paying citizens instead of receiving from the government. The societal benefits have not been measured fully, however, looking at the family structure and future generations, the benefits can be unending.

Looking from a criminal justice perspective, reduction in incarceration of non-violent offenders, less use of youth service facilities for status and first offenders, smaller criminal dockets, and a chance to witness some positive outcomes with offenders, are a few of the benefits of drug court programs. Many professionals around the country believe that drug courts have become an answer to many criminal justice problems. There is finally something that seems to be working.

It is anticipated that future evaluation projects will include a cost benefit analysis of drug courts. All of the benefits would be difficult to ascertain, but there are methods being developed in other states for primary cost benefits to be gathered.

Finally, another benefit to drug courts is the community collaboration necessary to develop successful programs. People in the community are sharing ideas and resources in places where they had never talked to each other. The single most important factor in the success of drug courts is the system working together.

## **Legal Issues**

### Confidentiality

The information typically provided to the drug court regarding the drug court client is aimed toward the successful program completion of that client. Substance abuse treatment programs are required to adhere to federal law and regulations, 42 U.S.C. 290dd-2 and 42 C.F.R. Part 2 that refers to the confidentiality of program participation. The only information that the drug court team needs from the treatment provider is if the client went to the required treatment (individual or group) and if they are successfully participating in the program. Neither one of these pieces of information will jeopardize the program's integrity and adherence to the federal confidentiality law.

Increased development of juvenile and family drug courts leads the team members to additional concerns about confidentiality. It is important in a drug court program to allow all participants into the courtroom together in order to hear the positive and negatives with the other participants. Many believe the courtroom setting is a treatment session since the participant's accountability is noted at this time. Some jurisdictions question the ability to bring juvenile and dependency cases together in the same room, especially since family members are also with the participants. It is important to note the difference between the drug court program and court proceedings is the purpose of the session. Since the drug court program is dealing with the issues of substance abuse and other needs, it is not a regular court proceeding, thus the jurisdictions who do allow everyone in the courtroom together believe it is not violating any confidentiality laws.

Another confidentiality issue concerns the drug court proceeding. The nature of the drug court session lends itself to honesty and accountability of the client and the system. It is critical that the drug court proceedings are off the record and information regarding substance use and abuse, given by the client or other drug court team members, does not find its way into future trials or dispositional hearings against that person. The following statute addresses the issues of confidentiality in drug court sessions.



#### Statutory authority

Legislation to enable the implementation of drug courts around the state was passed into law in 1998 and became effective August 28, 1998. Sections 478.001 RSMo through Section 478.005 RSMo state:

#### **478.001. Drug courts--establishment--purpose**

Drug courts may be established by any circuit court pursuant to sections 478.001 to 478.006 to provide an alternative for the judicial system to dispose of cases which stem from drug use. A drug court shall combine judicial supervision, drug testing and treatment of drug court participants. Except for good cause found by the court, a drug court making a referral for substance abuse treatment, when such program will receive state or federal funds in connection with such referral, shall refer the person only to a program which is certified by the department of mental health, unless no appropriate certified treatment program is located within the same county as the drug court. Upon successful completion of the treatment program, the charges, petition or penalty against a drug court participant may be dismissed, reduced or modified. Any fees received by a court from a defendant as payment for substance treatment programs shall not be considered court costs, charges or fines.

#### **478.003. Designation of judge to hear cases--appointment of commissioners**

In any judicial circuit of this state, a majority of the judges of the circuit court may designate a judge to hear cases arising in the circuit subject to the provisions of sections 478.001 to 478.006. In lieu thereof and subject to appropriations or other funds available for such purpose, a majority of the judges of the circuit court may appoint a person or persons to act as drug court commissioners. Each commissioner shall be appointed for a term of four years, but may be removed at any time by a majority of the judges of the circuit court. The qualifications and compensation of the commissioner shall be the same as that of an associate circuit judge. If the compensation of a commissioner appointed pursuant to this section is provided from other than state funds, the source of such fund shall pay to and reimburse the state for the actual costs of the salary and benefits of the commissioner. The commissioner shall have all the powers and duties of a circuit judge, except that any order, judgment or decree of the commissioner shall be confirmed or rejected by an associate circuit or circuit judge by order of record entered within the time the judge could set aside such order, judgment or decree had the same been made by the judge. If so confirmed, the order, judgment or decree shall have the same effect as if made by the judge on the date of its confirmation.

**478.005. Conditions for referrals of procedures--admissibility of evidence--access to and confidentiality of records**

1. Each circuit court shall establish conditions for referral of proceedings to the drug court. The defendant in any criminal proceeding accepted by a drug court for disposition shall be a nonviolent person, as determined by the prosecuting attorney. Any proceeding accepted by the drug court program for disposition shall be upon agreement of the parties.

2. Any statement made by a participant as part of participation in the drug court program, or any report made by the staff of the program, shall not be admissible as evidence against the participant in any criminal, juvenile or civil proceeding. Notwithstanding the foregoing, termination from the drug court program and the reasons for termination may be considered in sentencing or disposition.

3. Notwithstanding any other provision of law to the contrary, drug court staff shall be provided with access to all records of any state or local government agency relevant to the treatment of any program participant. Upon general request, employees of all such agencies shall fully inform a drug court staff of all matters relevant to the treatment of the participant. All such records and reports and the contents thereof shall be treated as closed records and shall not be disclosed to any person outside of the drug court, and shall be maintained by the court in a confidential file not available to the public.

Other

Due to such a drastic increase in the number of drug courts across the nation, transfer of cases/treatment is occurring around the country. While most Missouri drug courts require the offender to be a resident of the county where the drug court is operating before entering the program, events change such as jobs and family, and the drug court may want to make other options available to the participant. Not all drug court teams may feel they should open up their programs to persons moving into their jurisdiction from other areas of the state or country, but it is something that all planning efforts should address.

## **PLANNING A DRUG COURT**

### **Organizing drug court teams**

There are actually two teams that need to be developed for the planning, implementation and continued success of the drug court. One team, a fairly small group, will assist with the detailed planning of the drug court. The second team can be brought in during the final planning stages. Their responsibility is to assist with community collaboration and partnerships to ensure that all services allowable will be provided to the drug court participants. They will also be able to provide oversight for the drug court, allowing for a more objective assessment of the program. They may provide suggestions and recommendations to the key players (team one) for better operation of the program.

Team one includes the people who will be operating the drug court. In adult courts, that would include the judge, prosecutor, public defender, probation and parole, and the treatment provider. It also often includes law enforcement and a court clerk. In juvenile courts, it would include the judge, juvenile officer, public defender (in some jurisdictions) or primary guardian ad litem, school representative, and treatment provider. Family drug courts include the judge, prosecutor (if criminal charges are filed), public defender, probation and parole, law enforcement, court clerk, juvenile officer, guardian ad litem, and family service worker. Domestic violence drug courts would be similar to the adult model, only a representative from a local domestic violence shelter may be part of the team.

Team two includes all of the key players from team one and service providers and community leaders who will have a stake in the success of the drug court. Those persons could include educators, job training specialists, housing agency employees, non-profit groups, private business leaders (those interested in funding part of the program or those who will hire successful drug court participants), faith community leaders, youth service providers, and the news media. When selecting this larger team, it is important to allow persons who are team players to be at the table.

Identifying the key stakeholders in the community and inviting them to planning meetings is necessary for the success of the program. There are few organizations and providers who would not be willing to better the community by joining forces and combining services. Allowing the community to be involved will also give them ownership into the program, so they will do all that they can to ensure the program's success. The Greene County drug court has appointed a community advisory committee to work with the drug court. They assist the drug court with community partnerships, funding opportunities and media assistance. This is the opportunity for families and parents to be part of the drug court that could assist the program in gaining total community support.

In Chapter VI of this resource manual is a listing of some local resources that would be important to include in any drug court planning efforts. The listing is not complete, but those resources listed may be able to assist with networking to other resources.

### **Developing goals and outcomes**

Determining the goals and outcomes for the program is one of the hardest tasks the drug court team has to complete, however, this is one of the most important tasks. Not specifying goals and outcomes of the program is many times the cause of disruption in the total program. Keep in mind, if all of the people involved with the drug court program do not have the same understanding of objectives of the program, people will be working toward their own agenda, which may conflict with the original intent of the program. When identifying goals, make sure the community interests are also considered.

Outcome measures are very important to develop since that is the way in which the team will know if they have been successful with the drug court program. Measurable outcomes is very important and usually include measures such as retention rates of program participants (how many drop out before program completion), success of certain participant populations (do women or young African Americans, or older males drop out more frequently than other populations), and recidivism rates. If you want to include recidivism, it is important that the team defines recidivism. It may be defined as new felony arrests, new felony or misdemeanor arrests, relapse, no longer employed. Most persons refer to recidivism as a criminal activity, but since the drug court is a treatment based program, it may take on a totally different definition.

### **Identifying the target population**

Identifying a target population for acceptance into the drug court program is very important. The target population will create the foundation from which evaluation can be made. It also determines whether you are selecting the correct population to meet the goals and objectives of the drug court. For instance, if an objective of the drug court includes a plan to decrease the prison population but your target population is for first time offenders, the chances of attaining the desired objective may be very difficult if the sentence for first offenders is usually probation. If, however, the objective is to stop drug use and the associated crime for future diversion from prison, the first time felony offenders would be a good target population.

Criticism of drug courts around the country has come from people stating that the drug courts are relieving prison overcrowding when that is not the targeted population. Drug courts are just as important for diversion of possible future prisoners as it would be to divert those who would normally be going to prison on the current charges.

Another issue to address when deciding who should be in the program is determining current sentencing practices in the community. If most first time offenders receive an SIS or reduced charge, it needs to be determined whether drug court for those persons would be a viable option. More serious offenders may need to be targeted for a diversion drug court program instead of first offenders.

### **Identifying local, state, and federal resources**

Look in the community and identify all of the services available. You may need to contact the chamber of commerce for a listing of services provided. In order to find the state and federal resources, it may be necessary to contact each state or federal agency in your area to see what funding is already coming in to the area and how you may be able to tap into that funding. State and federal grants for drug courts are available in varying cycles. For a listing of resources in your area and funding resources, see Chapter VI.

### **Determine needs of the drug court client**

Various assessment instruments (i.e., treatment, educational, job skills, housing, etc.) are available to assist with identification of needs for an individual. Once the needs are identified, services should be provided to meet each one of those needs. One of the elements for success of drug courts is looking at the whole individual and meeting all needs to allow that person to be successful in recovery and life.

The initial phase in a drug court program is typically an assessment phase. This phase includes an in-depth assessment of all needs are determined, treatment plans are developed, intensive treatment begins and a determination is made by the drug court team about the ability of the offender to make progress in the program. The next phase usually includes continued intensive treatment, frequent drug testing, intensive supervision, frequent court appearances and sometimes the beginning of educational programs or employment. The final phases include reentry or introduction into mainstream society through continued educational programs and successful employment, less treatment, drug testing, and court appearances and graduation from the drug court.

### **Determine graduated sanctions and rewards**

Developing a program of graduated sanctions and rewards is important for the offenders as well as the drug court team. Having an actual list of sanctions and rewards will assist the drug court team to identify what needs to be presented to the offender. It will also indicate to the offender that there are measures to assist with accountability and if they fail or succeed they will know what to expect. This allows offenders and team members to make better judgments about the success or failure of actions.

Sanctions currently used in Missouri drug courts include:

- intense drug education programs
- residential treatment
- jail time
- reverting back to a prior phase
- more intensive treatment
- more urinalysis
- additional community service

Rewards currently used in Missouri drug courts include:

- progression into a less restrictive phase
- reduction of the drug court fee
- applause
- movie passes, ball game tickets, etc.
- clothing gift certificates
- certificates to gyms
- pizza parties

Recent literature has stated that the sanctions used should be appropriate for what is occurring. For instance, if the participant keeps giving a dirty urine, a treatment sanction should be used (day treatment or residential treatment), but if they fail to show up for court, a criminal justice sanction should be used (jail or additional community service).

### **How to have a drug court with limited staff and resources**

While the ideal drug court model includes many resources and services to the offenders, programs with limitations are always possible and often successful. During the planning stages of the drug court, the initial sessions should include the programs and services that are highly desired by the community. Services desired but not available in the community should be included in the initial plan. Once the ideal program has been designed, the planning team should begin making adjustments to allow for current staff and resources. If the team feels a certain piece is imperative to the operation of the drug court, then brainstorming solutions should begin to find a way to retain that piece of the program.

Recently, budgets from various agencies have included persons to work with drug court programs. The Circuit Court Budget Committee approved positions of Drug Court Commissioner and Drug Court Administrator and the Legislature approved these positions for FY2000 and is expected to approve similar positions for the FY2001 budget. The Board of Probation and Parole has reallocated staff to allow probation officers full time positions with the drug court. Juvenile probation officers have also been reassigned to drug courts as well as social workers with the Division of Family Services. It is interesting to note, that various agencies around the state must believe the drug courts are making a difference in the overall system or they would not be dedicating staff to its operations.

## **Bringing it all together**

Once the planning process is complete, a date should be set to begin implementation. Make sure to announce to all agencies and organizations when the program is to begin so everyone can be prepared. It is good to start slowly to allow the system time to adjust to a new program. During the first few months of implementation, it is important to hold team meetings frequently; once every two or three weeks; to discuss how the process is working and if any changes need to be made. It is common for newly operational drug courts to make adjustments to the program in the early stages of implementation. If the team feels changes need to be made and they aren't made, it will cause a snowball effect as time goes on and ultimately to possible program failure.

A critical aspect to the drug court is staffing prior to each court session. This is discussed further in Chapter IV under the drug court session.

## **Educating the professionals**

One of the more difficult tasks necessary for a successful drug court is educating all of the players in the program. There are obvious learning curves that may occur and cause the delay in starting the drug court. It is important that the criminal justice practitioners learn and understand addiction and correct ways in which to work with the addict. The treatment and service professionals need to understand criminal behavior and how to work with the offender. There are educational programs provided around the state as well as nationally. The National Drug Court Institute (NDCI), a section of the National Association of Drug Court Professionals (NADCP), has been developed for drug court professionals around the country. Many persons from Missouri have attended some of the sessions and believe they are very good programs. Training through NDCI includes programs for: Adult drug court judges, juvenile drug court judges, drug court coordinators, prosecutors, public defenders, probation officers. Further information, go to Chapter VI under Resources.

The Missouri Association of Drug Court Professionals conducts a training conference each year. They also provide technical assistance to jurisdictions around the state. For a list of the Board of Directors, go to Chapter VI under Resources.

The Addictions Technology Transfer Center is another opportunity for drug court professionals to learn about addiction and treatment options. They are located in Kansas City but provide training around the state. There have been some specialized programs developed for drug courts.

The Office of State Courts Administrator provides training and technical assistance for drug courts. It is also the central repository of drug court information from Missouri and across the nation.

## **DRUG COURT OPERATIONS**

### **Intake/Referral**

Remember that one of the basic criteria of a drug court is immediate intervention. A person should be assessed and opt into the drug court program in a matter of a couple of weeks after involvement with the legal system. The eligibility assessments need to be completed prior to opting into drug court.

### Drug Court Eligibility Assessment

Drug court eligibility will be different for each jurisdiction. Typically the prosecuting attorney will determine program eligibility based upon criminal history and current criminal charges. That is the first step of what is referred to here as the eligibility assessment. Ideally, once the prosecutor has determined the person is eligible for the drug court program, the treatment provider or the probation and parole officer or juvenile officer should complete a quick screening for other eligibility criteria. Again, based upon what criteria the drug court team has established, it is necessary to make sure the person fits that criteria. Persons with dual diagnosis may be rejected from drug court participation, or maybe the screening identifies someone without an addiction or even a serious substance abuse problem.

### Treatment Suitability Assessment

Once the prosecutor, probation and parole officer, or other person has screened a person for eligibility for drug court, the treatment provider needs to complete a screening to determine the suitability for treatment. This can be a quick assessment to identify past treatment history, other psychological disorders that may interfere with program participation, and anything that will identify the individual as having a problem with successful completion of the program. The assessment should not rule out those persons who may be difficult to reach due to desire for recovery. This is not a way to weed out those who will not be successful because many times the tough ones entering the program are the greatest successes. The treatment suitability assessment should be used to identify those individuals where the program would not assist with their recovery yet another program may be more appropriate.

### **The Courtroom**

#### Roles of the Courtroom Players

The drug court creates a unique setting for the typical criminal justice professionals. Adversarial roles are non-existent, the judge doesn't always have the final say, and the group works together as a team. "For justice system members of the integrated program team, involvement in the



program means shifting their primary focus from the guilt or innocence of the defendant to effective interventions for the defendants admitted to the program.” (Treatment Drug Courts: Integrating Substance Abuse Treatment with Legal Case Processing, page 26)

The typical roles of the drug court staff are as follows:

The Judge is central to the overall success of the drug court program. The participant talks directly with the judge instead of through counsel. It is during this time that the judge lets the offender know what is expected of him/her regarding the program and recovery process, the legal aspects of the program (if the person fails the drug court or decides to “drop-out”), and will provide the sanctions and rewards as needed.

The Prosecutor is responsible for screening the offenders for eligibility into the drug court. Once an arrest is made, they review the charges, determine if the offender is eligible and talks to the offender about “volunteering” for the drug court. If the offender agrees to participate, the prosecutor is responsible for explaining the program and having them sign locally required waivers for entry into the program. Once in the courtroom, the prosecutor is a non-adversarial player in the process.

The Public Defender, while remaining in a non-adversarial role with the prosecutor, works with the client in a manner that is conducive to the drug court program and in the best interest of the client. Even though the criminal charges are deferred, in most cases, and the client doesn’t need assistance with the legal process, it is important that the public defender assist with the positive reinforcement of the person’s successful recovery. If the person is failing the program, the defender should let the person know what they will be facing regarding the criminal charges if they do fail the program.

The Probation and Parole Officer will handle the intensive supervision of the client. They will act as liaison between the treatment provider and the court by coordinating the activities and schedule of the client. Reports will be required of the diversion manager (probation and parole officer) by each court date. The diversion manager will be a key member of the drug court team and is required to attend all drug court dates and staffing prior to court.

The Juvenile Officer may play dual roles in the juvenile drug court. They may supervise the case and also play the same role as the prosecutor in the adult drug court. This means that the juvenile officer would be the individual who initially screens the case to determine eligibility into the drug court program, and may also screen for program suitability. It is recommended that an attorney be present in the drug court to represent the defense side of the system. Again, the attorney would not be “representing” the client regarding criminal charges, but would assist with the drug court process.

The Treatment Provider will be responsible for providing all necessary treatment services for the client or be able to refer (with approval of the court) to special treatment services as needed. One treatment professional will be assigned to provide the initial assessment of the client prior to the first court appearance. Another person will be responsible for providing the treatment services. Reports from the treatment provider will be required by each court date. The provider will be a key member of the drug court team and is required to attend all drug court dates and staffing prior to court.

Court Clerks are key players in the process. Without a court clerk handling the files of all drug court participants and keeping the records organized, many drug courts would not function so well.

Evaluator and/or MIS person is responsible for data collection and working on internal evaluation or program evaluation products for use by the drug court program. The information they collect will allow the program to identify problems or areas of concern so the team can make necessary adjustments to the program. Some programs have an independent evaluator on the team during the planning stage. Many universities will work with the drug court as part of their studies and use graduate interns for this piece.

A Division of Family Services worker is critical for family drug courts. The mission of family services includes family preservation. They have the ability to assist professionally with social work skills and provide services to the families in the drug court program.

Law Enforcement Officers can be a great help to all types of drug courts. Community policing and school resource officers have expanded the accountability of the drug court system. Community police officers are able to make home visits, provide BAC testing and provide the eyes and ears on the streets. School resource officers are able to help in juvenile and family drug court settings by providing insight to the team about the youth's school behavior and activities. They can also provide support in the school setting for the participant.

School Officials can include school resource officers or counselors that have an insight as well as an ability to help in a juvenile drug court.

The Drug Court Administrator plays a vital role with drug courts from the planning to evaluation stages. This person is the one who maintains the overall coordination of activities of the drug court. Responsibilities include finding funds for operation, writing RFPs and contracts for services, providing insight into the daily operations of the drug courts for better processing and assists the team with on-going issues as they arise.

## Docketing

Drug court cases should be on a separate docket from other criminal or juvenile cases. Depending upon the size of the docket, persons in the drug court should be in the courtroom at the same time in order to see the system working in a variety of cases. Drug court participants who hear and see rewards and sanctions given to other participants reinforce the immediacy and certainty of punishment and rewards.

The drug court team should also consider the time drug court is scheduled. If maintaining a job is a requirement of drug court, then the court time should allow for that person to retain employment without having to take off work. There are many jobs that don't allow leave to be taken, especially at the beginning of the employment, and many drug court participants don't want people to know they are going through drug court. Some jurisdictions may not have enough staff to allow them to meet in the evenings or weekends, but this should be discussed and thought about for future enhancements of the program.

## Drug Court Session

Prior to each drug court session, the drug court treatment team meets to discuss and provide updates regarding each client on the upcoming docket. The diversion manager/probation officer and the treatment provider are the key players in this discussion. Since they see the clients more often than the rest of the team, they have more updated information to share. It is at this point that rewards and sanctions are discussed and determined for each client. If a person has done very well in the program and/or has reached a milestone, the team determines what type of reward they should receive. Likewise, if a person has had dirty urine or failed to go to treatment or meet with the diversion manager, then the team determines what sanctions should be imposed. Staffing is one element in drug court that is very different from the normal court process. The role of each team member is different than in normal court since each member is equal and has an opportunity to make recommendations as to the fate of the drug court participant.

Once everyone is in court, the process begins and accountability becomes evident. The drug court client usually goes to the bench and the judge talks with the individual directly. It is local preference that says whether or not the other team members stand at the bench with the client. Since the judge has already been informed of the clients behavior since the last court date, the judge knows if the client is lying about anything during their discussion. The participants in the audience quickly see that the judge knows the truth about their status and will be less likely to lie when they go before the judge.

Drug Court sessions are held at various intervals around the state based upon the abilities of each jurisdiction. The ideal system would be that the client would come to court once a week in the beginning and then once every one or two months toward the end of the program. It would also be good if the client could come to court immediately after showing signs of relapse for immediate intervention, but this is usually not possible in the current system. It is suggested that anyone wanting to implement a drug court, should visit an operational drug court to see the full effect of the session

## **The Treatment Program**

Substance abuse treatment is a key component in every successful drug court program. Basic elements are necessary to address the client's addiction and to make an impact on them for their recovery and continued abstinence. Those include:

- Comprehensive Assessment
- Treatment Plan Development
- Substance Abuse Education
- Substance Abuse Counseling - individual and group
- Family Counseling - individual and group
- Treatment Plan Reviews/updates/progress reports
- Frequent Drug/Alcohol Testing
- Relapse Prevention Plan
- Continuing Recovery Plan

Drug Courts are expected to use Missouri certified substance abuse treatment programs for all treatment services. The reasons for using certified programs include the ability to have some drug court participants who are Medicaid eligible be provided services with payment from the Division of Alcohol and Drug Abuse; services will be consistent with proven substance abuse treatment models; the programs are accountable to the periodic compliance reviews by the Division of Alcohol and Drug Abuse, and it's the law.

The treatment program is very intense in the beginning of the drug court program. As previously mentioned, the program is usually divided into phases. While detoxification and residential treatment may be necessary for individuals in the early phases, not everyone will need that type of treatment. The early phases of the program may include:

- 3-5 days per week of outpatient group treatment
- 3-5 urine drops per week
- 1-2 individual treatment sessions per week
- 1-2 individual family sessions per week

Once the person has shown success in the treatment programs and has been in recovery for some designated period of time, treatment sessions and urinalysis will be reduced. The later phases of drug court may include:

- 1-3 days per week of outpatient group treatment
- 3-5 urine drops per month
- 1-2 individual treatment sessions per month
- 1-2 individual family sessions per month

Each drug court will have its own treatment tracks and intensities. The important point to remember is that the client needs to have intensive enough treatment to get them on track and keep them there, however, if they have too much ordered program components, it may be difficult for them to make 100% of the sessions. The treatment component is one area that changes as the drug court progresses because the treatment team is better able to determine the needs of the client.

## EVALUATION

### Data collection needs

Data collection is important for two primary reasons. One it helps the jurisdiction determine whether identified objectives are being met; and two, to help with grant applications and targeting success rates for future or continued funding. Another reason for evaluation is to learn if what we are doing is working and if it's not, how do we fix it.

The following questions should be able to be answered by any operating drug court on a group or individual basis for any date parameter:

- Basic program information, including goals and expected outcomes
- Number of participants
- Number of graduates
- Number of people admitted to the drug court
- Number of participants who have failed to complete the program due to termination, voluntary withdrawal, deceased.
- Age of participants
- Sex of participants
- Race of Participants
- Number of various treatment sessions, required and attended
- Number of urinalysis, with an indication for positive or negative or level
- Number of probation officer contacts, required and attended
- Critical dates, movement between phases
- Sanctions and rewards given
- Financial tracking for fees and/or restitution
- Number of drug free babies
- Educational training received (GED, vocational training)
- Number of participants employed during program and at graduation
- Number of warrants issued
- Number of participants arrested and/or convicted while in the drug court program (include types of crimes)

The Office of State Courts Administrator is looking into the possibility of adding information specific to drug courts to the current Banner System, the statewide court automated system. There are also software packages available through private vendors as well as public domain software. To receive information on public domain software packages, contact Carolyn Cooper, The American University, (202) 885-2875.

The Drug Courts Program Office has developed a data collection survey that is required for all drug court implementation and enhancement grantees. The survey is useful for all programs to use for team meetings designed to review the program. The survey and instructions for completion are included here for the use of all drug court programs.

**Drug Court  
Data Collection Survey  
Instructions**

**BASELINE INFORMATION**

**A. General Information**

**Items 1-6** Contact information of the person actually completing this form. This will be used in case clarification is needed.

**Item 7** **THIS IS ONLY FOR FEDERAL GRANT RECIPIENTS.** Indicate the type of grant awarded from the Drug Courts Program Office.

**Item 8** **THIS IS ONLY FOR FEDERAL GRANT RECIPIENTS.** Indicate the award period of the grant from the Drug Courts Program Office.

**Item 9** Indicate the date the first drug court clients were admitted into the drug court program.

**Item 10** **THIS IS ONLY FOR FEDERAL GRANT RECIPIENTS.** Indicate the date that the federal grant funding began. This will be the same as the beginning award period date in item 8

**Item 11** **THIS IS ONLY FOR FEDERAL GRANT RECIPIENTS.** Indicate the total amount received from the drug court programs office.

**Item 12** List the name, position and telephone number of each person on the drug court team. Attach an additional sheet if necessary.

**Item 13** Indicate the population of the jurisdiction served by the drug court. I will be able to complete this information for you if you let me know which county/jurisdiction the drug court serves.

**B. Drug Court Information**

**Item 14** Indicate the type of drug court that is operating in your jurisdiction.

**Item 15** Indicate the approach taken by the drug court.

**Item 16** Check all applicable eligibility conditions allowed by the drug court. Juvenile is a definition of age that would include juvenile offenders as well as the children involved in the abuse and neglect drug courts. If repeat offenders are allowed into the drug court program, please indicate if it includes misdemeanors as priors, felonies as priors, or either.

Under Federal Law, violent offender is defined as a person who either:

A. Is charged with or convicted of an offense during the course of which:

1. The person carried, possessed, or used a firearm or other dangerous weapon;
2. There occurred the use of force against the person of another; or
3. There occurred the death of, or serious bodily injury to, any person, without regard to whether any of the circumstances described above is an element of the offense or conduct of which or for which the person is charged or convicted; or

B. Has one or more prior convictions of a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.

**Item 17** The length of the program is the planned length and can include a range of time. The actual average length of the program will be determined after the program has graduates.

**Item 18** List the phase “titles” along with a range of time the phase lasts (i.e., assessment 3-6 weeks)

**Item 19** Check all services that are available for the drug court clients. Indicate other services that are available that are not on the list.

**Item 20** If the listed items are requirements for graduation from the drug court, indicate the number of months the item must occur. List other requirements, including time periods (if applicable), that are determined to be graduation requirements.

**Item 21** Check all sources of funding for the drug court program and indicates the amount of that funding source. If the amount is an estimate, indicate as an estimate.

**Item 22** Check the appropriate box relating to drug court participant fees. Follow the instructions for the next question to be answered.

**Item 23** If a fee is or was collected, indicate the use of the fee and at what amount.

**Item 24** Check the appropriate box regarding drug court data gathering. If the drug court is automated, please indicate what software is used.

## **DRUG COURT PARTICIPANT/PROGRAM INFORMATION**

Note: The information requested from “start of grant” is only required for the Drug Courts Program Office for those receiving implementation and enhancement grants. It is not applicable to other drug court programs.

**Item 25** Indicate the number of participants that have been in the program. Include those that have been terminated or have dropped out after beginning the program. For abuse and neglect drug courts, indicate the number of families accepted into the program.



**Item 26**        Indicate the total number of individuals allowable in the drug court. For abuse and neglect drug courts, indicate the number of families allowable in the program.

**Item 27**        Indicate the total number of graduates from the drug court program. For abuse and neglect drug courts, indicate the number of families that graduated from the program.

**Item 28**        Indicate the total number of participants for each of the questions asked. Item 'a' will be the same as **Item 25**; and item 'b' will be the same as **Item 27**. Item 'c' is new information.

**Item 29**        Indicate the number of drug court participants that fall into the demographic categories. The numbers should be based drug court entry information, except for the number of drug-free babies born to participants. The drug-free babies' information will be collected throughout the time in the drug court program as well as after graduation, if the mother is tracked for verification of drug-free birth.

**Item 30**        Indicate the number of drug court participants that fall into the racial/ethnic categories. If a person is biracial, they should be asked which group they identify with the most.

**Item 31**        Check the time period that the drug court will conduct a follow up on graduates. If the time is more or less that the times indicated, write the time under the 18 months time.

**Item 32**        Indicate the total number of participants who gained a GED or vocational training while in the drug court program. If an individual completed other training, you may identify the type of training and the number of participants completing that program.

**Item 33**        Indicate the number of participants that are employed at graduation. Include full time and part time employment.

**Item 34**        Indicate the number of participants currently under bench warrant status.

**Item 35**        Indicate the number of program participants that are arrested or convicted in the listed categories

**Item 36**        Indicate the number of participants who reentered the drug court program after previous termination or graduation from the program. Most programs do not allow this. Please indicate in this area if the drug court program does not allow this to happen.

**Item 37**        Indicate the number of program graduates that are rearrested and/or convicted in the listed categories. The time after graduation is identified in six-month intervals.

**Item 38**        Indicate the number of program graduates that remain drug free, if the data is collected.

## **Program Evaluation**

Drug Court program evaluation is important for many reasons. From a state and national perspective, program evaluation will help determine the effectiveness of the programs to ensure that the money spent is justified. From a drug court team perspective, it can help identify areas that need to be changed for better outcomes. If the evaluation is positive, it will assist the team to gain additional community support. Evaluation results can assist with future funding opportunities of drug court programs.

The two primary types of evaluation are program or process evaluation and outcome evaluation.

Program evaluation determines the extent to which the program follows its goals and program content. This will help with making decisions on needed changes in the program, such as types and diversity of treatment programs, correctly serving the targeted population, and the appropriateness of the use of team members and service providers.

Outcome evaluation determines the effectiveness of the program. Tracking of failures and graduates of the program assist the team with determining how well the program is working. Failures of the program may denote a missing service provided in the program or erroneous assessments. Graduates of the program that don't continue to succeed in their recovery (behavior and/or criminal activities) may also assist the team in discovering where "holes" in the program may exist.

Hopefully, the drug court team will be able to use evaluation data in a positive manner by either continuing the program at the same level (if the evaluation is all positive) or making adjustments in the program as necessary.

In 1999, the Office of State Courts Administrator received a two-year evaluation grant award from the Department of Justice, Drug Courts Program Office. The Office of State Courts Administrator has contracted with the University of Missouri-Columbia, School of Social Work to complete the process and outcome evaluation of fourteen Missouri drug courts programs. The drug courts participating in the evaluation are:

Adult programs: Buchanan, Lafayette, Boone, Cole, St. Louis, Greene, Newton, Christian, Butler, and Dunklin Counties;

Juvenile programs: Jackson and Scott Counties and the City of St. Louis;

Family programs: Jackson County

Documents produced about drug court evaluation include: "Evaluating Drug Court Programs: An Overview of Issues and Alternative Strategies," by The American University; "Drug Court Monitoring, Evaluation, and Management Information Systems," by the Drug Courts Program Office; and "Research on Drug Courts: A Critical Review," by Steven Belenko, PhD., of the National Center on Addiction and Substance Abuse at Columbia University.

## **RESOURCES**

State and national contacts to provide technical assistance

How to write a technical assistance request

Key agency contacts in local areas

Funding sources at the local, state and national level

## **State and national contacts to provide training, technical assistance, and materials**

### **Missouri:**

#### Statewide Drug Court Planning Team:

Office of Prosecution Services - Liz Ziegler, (573) 751-8763

Public Defender - Joel Elmer, (816) 889-2099

Division of Alcohol and Drug Abuse - Steve Deets, (573) 751-4942

Department of Corrections - Scott Johnston, (573) 526-6495

Division of Youth Services - Bill Heberle, (573) 751-2799

Office of State Courts Administrator - Ann Wilson, (573) 751-4377

Judiciary - Honorable Timothy Patterson, Circuit Judge, Jefferson County, (314) 797-5443

#### Jackson County Drug Court:

##### Adult

Commissioner Greg Gillis (816) 881-3304

Vicki Boyd, drug court administrator, (816) 881-3108

##### Family (abuse & neglect and delinquency)

Commissioner Molly Merrigan (816)

Penny Howell, drug court administrator (816)

#### St. Louis City Drug Court:

##### Adult

Commissioner Barbara Peebles (314) 622-4381

Jeffrey Kushner, drug court administrator, (314) 589-6702

##### Juvenile

Commissioner

Gail White, drug court coordinator

#### Lafayette County Drug Court:

Judge Robert Ravenhill, (816) 886-5521

Page Bellamy, prosecutor, (816) 259-6181

#### Scott County Juvenile Drug Court and Mississippi County Adult Drug Court:

Judge David Dolan, (573) 545-3511

John McMinn, Drug Court Administrator (573) 683-3647

#### Buchanan County Drug Court:

Judge Pat Robb, (816) 271-1444

Dale Good, Probation and Parole Officer (816) 232-9283

#### Boone County Drug Court:

Commissioner Christine Carpenter, (573) 886-4050

Pete Schmersal, drug court coordinator, (573) 886-4180

#### Christian County

Judge James Eiffert, (417) 581-2727

#### Dunklin County

Judge Stephen Sharp

Steve Sokoloff, prosecutor,

#### Greene County

Judge Calvin Holden

Bill Zeeck, Drug Court Administrator, (417) 868-4838

Newton County – Adult, Juvenile and Family  
Judge Tim Perigo

Cole County – Adult and Juvenile  
Judge Pat Joyce, (573) 634-4177  
Steve Nelson, Drug Court Administrator, (573) 761-4310

Stoddard County  
Judge Joe Satterfield

Butler County  
Judge James Hall

St. Louis County  
Judge  
Paul Fox, court administrator

-

**National:**

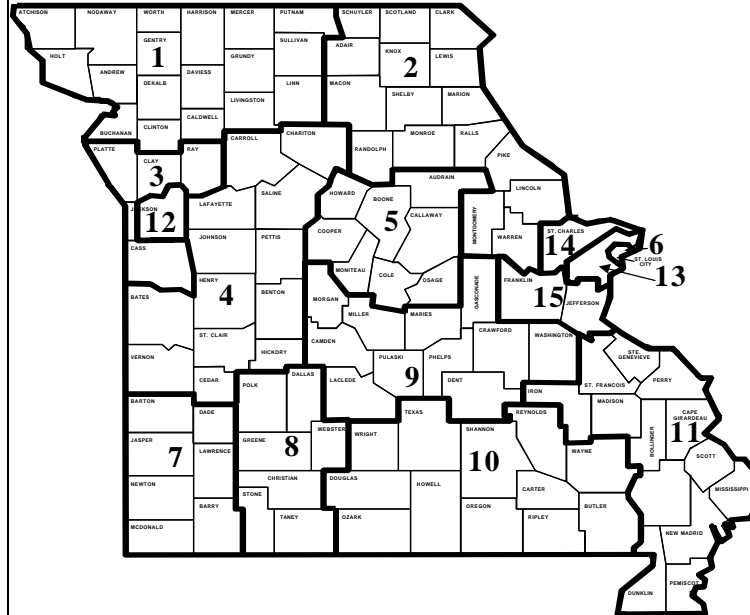
National Association of Drug Court Professionals  
901 N. Pitt Street  
Alexandria, VA 22314  
(703) 706-0576; FAX: (703) 706-0565  
website:

Drug Court Programs Office  
6<sup>th</sup> Floor  
810 7<sup>th</sup> Street, NW  
Washington, D.C. 20531  
(202) 616-5001, FAX: (202) 514-6452  
website:

Caroline Cooper  
American University  
4400 Massachusetts Avenue, NW  
Washington, DC 20016-8159  
(202) 885-2875, FAX: (202) 885-2885  
website:

National Drug Court Institute  
901 N. Pitt Street  
Alexandria, VA 22314

## Missouri's Service Delivery Areas under JTPA



### **SDA 1**

Betty Trimble, Area Admin.  
North Central Mo. College  
912 Main Street  
Trenton, MO 64683  
Phone (816) 359-3622  
FAX (816) 359-3082

Workforce Development. Board  
of Western. Mo  
515 S Kentucky, P.O. Box 701  
Sedalia, MO 65301-0701  
Phone: (816) 827-3722  
FAX (816) 827-3789

Private Industry Council, Inc.  
Sears Plaza, Suite 13  
P. O. Box 1351  
Joplin, MO 64802-1351  
Phone (417) 782-5872  
FAX (417) 782-7609

### **SDA 2**

Michael Shepard, Director  
Private Industry Council, Inc  
120 W Monroe, P.O. Box 244  
Paris, MO 65275  
Phone (816) 327-5125  
FAX (816) 327-5128

### **SDA 5**

Jim Marcantonio, President  
Private Industry Council, Inc.  
3411 Knipp Drive  
Jefferson City, MO 65109  
Phone (573) 634-7325  
FAX (573) 634-8048

### **SDA 8**

Robert Simpson, Director  
Job Council of the Ozarks  
1514 South Glenstone  
Springfield, MO 65804  
Phone (417) 887-4343  
FAX (417) 887-1892

### **SDA 3**

Clyde McQueen, President  
Full Employment Council, Inc  
1740 Paseo, Suite D  
Kansas City, MO 64108  
Phone (816) 471-2330  
FAX (816) 471-0123

### **SDA 6**

Valerie Russell-Davis, Director  
St. Louis Agency on Training &  
Employment  
317 North 11<sup>th</sup>, Suite 400  
St. Louis, MO 63101  
Phone (314) 589-8000  
FAX (314) 231-7923

### **SDA 9**

Janet Vaughn, Director  
Central Ozarks Private Industry  
Council  
1202 Forum Drive  
Rolla, MO 65401  
Phone (573) 364-7030  
FAX (573) 364-1865

### **SDA 4**

Harlan McGinnis, Exec.Dir.

### **SDA 7**

Neal Ball, Director





**SDA 10**

Patricia Lindeman, Exec Dir  
Ozark Action, Inc.  
710 East Main Street  
P.O. Box 588  
West Plains, MO 65775  
Phone (417) 256-6147  
FAX (417) 256-7318

**SDA 11**

Ron Swift, Executive Director  
Southeast Missouri Private  
Industry Council  
760 S Kingshighway, Suite F  
Cape Girardeau, MO 63703  
Phone (573) 334-0990  
FAX (573) 334-0335

**SDA 12**

Clyde McQueen, President  
Full Employment Council, Inc  
1740 Paseo, Suite D  
Kansas City, MO 64108  
Phone (816) 471-2330  
FAX (816) 471-0123

**SDA 13**

Marie Sandt/Linda Pina, Co-  
Directors  
Work Connections of St. Louis  
County  
10403 International Plaza Dr  
St. Ann, MO 63074  
Phone (314) 423-7100  
FAX (314) 423-9373

**SDA 14**

Marvin Freeman, Exec Dir  
Work Connections Center  
2020 Parkway Drive  
St. Peters, MO 63376  
Phone (314) 441-2422  
FAX (314) 441-7045

**SDA 15**

Ronald Ravenscraft, Gen Man  
Office of Job Training Pgrms  
Jefferson-Franklin Co., Inc.  
P.O. Box 350  
Hillsboro, MO 63050  
Phone (314) 789-3502  
FAX (314) 789-3889

## DRUG COURT FUNDING SOURCES

<b><u>Grant Program</u></b>	<b><u>Funding Cycle</u></b>	<b><u>Uses for Funding</u></b>	<b><u>Special Notes</u></b>
<b>Federal Funding:</b>			
Drug Court Programs Office-Department of Justice Washington D.C. (202) 616-5001	Federal Fiscal Year; Application kits available in winter with deadlines in early spring	Planning, Implementation, Enhancement	Funding has been around \$40 million per year
Local Law Enforcement Block Grant Bureau of Justice Assistance Washington D.C (202) 305-2088	Federal Fiscal Year. Money sent to predetermined chief executive of the city and/or the county. Applications sent in the spring of each year.	Has primarily been for law enforcement but is approved by the federal govt. for use in drug courts	Jackson County and St. Louis City both receive money from this. St. Louis City received \$500,000 for the drug court in 1997.
<b>State Funding:</b>			
Edward Byrne Memorial  Contact: Marco Tapia, Dept of Public Safety (573) 751-4905	Through Dept. of Public Safety, Announcements out first of each year, application deadlines in April.	Drug courts are targeted and in the top priority.	Missouri drug courts have been funded under this in the past. Greatest downfall is a hard cash match.
Div. of Alcohol and Drug Abuse  (573) 751-4942	There is no direct money, but will prioritize treatment programs for drug court's use.	The director has stated he is very supportive of drug courts.	
Department of Corrections Contact Probation and Parole at (573) 751- 8488	Funding through the Restorative Justice Funds. They also provide staff to supervise clients.	Drug courts are a priority for the DOC.	Contact the local probation and parole office for further information.

**Notes:**

- Most of the funding sources do not allow any person convicted of or currently charged with a violent crime allowed to participate in the drug court program.
- Some of the grants are for one year only and are non-renewable for additional years.

## **MISSOURI OPERATIONAL PROGRAMS**

**Program manuals and forms from the operating drug courts in Missouri.**

Boone County  
Christian County  
Jackson County  
Lafayette County  
Scott County  
St. Louis City

## Appendix

- Judicial Conference Task Force on Drug Courts
- Missouri Association of Drug Court Professionals
- Defining Drug Courts: The Key Components

## Missouri Association of Drug Court Professionals

The state drug court association is intended to assist developing drug courts with technical assistance, provide materials and forms which can be used by the courts and inform them of funding resources. Other activities planned by the MADCP include legislative actions, submitting a 501(3)© for non-profit status, and developing a relationship with various state agencies to coordinate budget requests in support of drug court activities.

The Board of Directors for 2000 are:

Page Bellamy, Prosecuting Attorney, Lafayette County Courthouse, Lexington, Missouri 64067, Phone: 660-259-6181; Fax: 660-259-6109 (**President-elect**)

Nick Coble, Probation and Parole, 610 North Ridgeview Drive, Warrensburg, Missouri, 64093, Phone: 660-543-7920, Fax: 660-543-7946

Judge David Dolan, Scott County Courthouse, P.O. Box 220, Benton, Missouri 63736, Phone: 573-545-3511, Fax: 573-545-3511 (**President**)

Joel Elmer, Public Defender, 16<sup>th</sup> Judicial Circuit, 20<sup>th</sup> Floor, Oak Tower, 324 E. 11<sup>th</sup>, Kansas City, Missouri 64106, Phone: 816-889-2099, Fax: 816-889-2999

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Commissioner Marco A. Roldan, Div. 16, Jackson County Courthouse, 415 E. 12<sup>th</sup> Street, Independence, Missouri 64106 Phone: 816-881-, Fax: 816-881- (**Past President**)

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Kent Hall, District Defender, 111 W. Main, Jackson, Missouri 63755, Phone: 573-243-3949, Fax: 573-243-1613 (**Treasurer**)

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